

# **EXHIBIT 25**

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT: McDaniel et al.  
SERIAL NO.: 08/252,384  
FILED: June 1, 1994  
CLIENT NO.: TXTox, Inc.  
FOR: Recombinant Organophosphorus Acid Anhydrase and Methods of Use

The date stamp of the mail room of the U. S. Patent & Trademark Office hereon will acknowledge receipt of **Supplemental Appeal Brief** mailed by prepaid first class U.S. Mail on November 20, 1995.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: McDaniel, et al.

Serial No.: 08/252,384                      Group No.: 1814  
Filed: June 1, 1994                      Examiner: C. Low  
For: Recombinant Organophosphorus Acid Anhydrase and Methods of Use

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

## TRANSMITTAL OF APPEAL BRIEF (PATENT APPLICATION—37 CFR 192)

1. Transmitted herewith in triplicate is the SUPPLEMENTAL APPEAL BRIEF in this application with respect to the Notice of Appeal filed on November 15, 1994, and the Notification of Non-Compliance with 37 CFR 1.192(c) mailed November 7, 1995.

NOTE: "The applicant shall, within 2 months from the date of the notice of appeal under § 1.191 in an application, reissue application, or patent under reexamination, or within the time allowed for response to the action appealed from, if such time is later, file a brief in triplicate. 37 CFR 1.192(a) [emphasis added].

## 2. STATUS OF APPLICANT

This application is on behalf of

- ☐ other than a small entity.  
☐ small entity — verified statement:  
    ☐ attached.  
    ☐ already filed.

## 3. FEE FOR FILING APPEAL BRIEF

Pursuant to 37 CFR 1.17(f), the fee for filing the Appeal Brief is:

- ☐ small entity                      \$140.00  
☐ other than a small entity        \$280.00

Appeal Brief fee due \$ 0.00

## CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

## MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

Date: 11-20-95

## FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.



Signature

C. STEVEN MCDANIEL  
(type or print name of person certifying)

#### 4. EXTENSION OF TERM

NOTE: The time periods set forth in 37 CFR 1.192(a) are subject to the provision of § 1.136 for patent applications. 37 CFR 1.191(d). Also see Notice of November 5, 1985 (1060 O.G. 27).

(complete (a) or (b) as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 370.00	\$185.00
<input type="checkbox"/> three months	\$ 870.00	\$435.00
<input type="checkbox"/> four months	\$1,360.00	\$680.00

Fee: \$ 0.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$ \_\_\_\_\_

OR

- (b) ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time.

#### 5. TOTAL FEE DUE

The total fee due is:

Appeal brief fee \$ \_\_\_\_\_

Extension fee (if any) \$ \_\_\_\_\_

TOTAL FEE DUE: \$ 0.00

#### 6. FEE PAYMENT

- ☐ Attached is a check in the sum of \$ \_\_\_\_\_.
- ☐ Charge Account No. 03-2769 the sum of \$ \_\_\_\_\_.

A duplicate of this transmittal is attached.

## 7. FEE DEFICIENCY

*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. ☒ If any additional extension and/or fee is required, this is a request therefor and to charge Account No. 03-2769.

AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 03-2769.



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SIGNATURE OF ATTORNEY  
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### SUPPLEMENTAL APPEAL BRIEF

Applicant hereby submits a Supplemental Appeal Brief to bring the Appeal brief into compliance with 37 CFR 1.192(c). This Supplemental Appeal brief is in response to the Notification of Non-Compliance with 37 CFR 1.192(c) mailed November 7, 1995.

It is requested that the new page 63 submitted herewith be substituted for the same page originally submitted in the Appeal Brief mailed August 11, 1995. The substitute page 63 contains a copy of Claim 64 as appealed, adding this claim thereby to the appendix as required.

It is not believed that this Supplemental Appeal brief requires submission of any fee.

### FEE DEFICIENCY

**NOTE:** *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. ☒ If any additional extension and/or fee is required, charge Account No. 03-2769.

### AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 03-2769.



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3.

64. A method of preventing poisoning of a locus by an organophosphorus compound by applying recombinant organophosphorus acid anhydrase to said locus before said compound contacts said locus.

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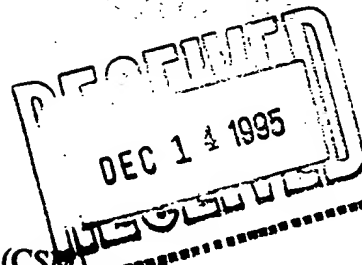


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